

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-1096-21 **Applicant:** Mr & Mrs Rawling

Proposal: Single storey front extension to form pool house and two storey side and front extension to form master bedroom with en-suite and dressing room

Location: Open Fields Barn Delgate Bank Weston

Terminal Date: 23rd December 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey front extension to form a pool house and two storey front/side extension to form a master bedroom with en-suite and dressing room. The pool house extension would measure 17.1 metres (depth) x 8.3 metres (width) and stand at 5.3 metres (2.4 metres to the eaves). The two storey front/side extension would measure 11.8 metres x 4.5 metres. The external materials would match the existing dwelling.

SITE DESCRIPTION

The site is located on Delgate Bank in Weston Hills. It is located outside any settlement boundary and within the open countryside. The site comprises a detached barn conversion with a detached outbuilding to the south-west of the site. There is a large gravelled driveway to the front. One dwelling is located to the south of the site and the rest of the site is surrounded by open countryside.

RELEVANT PLANNING HISTORY

H22-0925-15 - Change of use of livestock/hay store building into dwelling - Approved

H22-0904-14 - Change of use of livestock, hay/straw store building into dwelling - Approved

REPRESENTATIONS

South Holland Internal Drainage Board]

If a surface/foul water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

PLANNING CONSIDERATIONS

Principle of development

The site is outside any settlement boundary, however, the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Layout, Design, Size and Scale

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The site is Part Q barn conversion which was approved in 2015 and has been sympathetically converted. The proposed scheme would increase the footprint of the building quite significantly, however, given the proposed pool building would be single storey with a relatively modest height therefore it is not considered to dominate the existing dwelling and would not appear overly prominent in relation to the existing dwelling. In addition, it would not extend beyond the footprint of the previously demolished yard buildings in this location so effectively it would not be significantly different to the original building.

The proposed two storey extension is on balance considered acceptable as it would appear subservient to the existing building given its roof ridge would be lower than the existing.

The proposals are not considered to unacceptably impact the character of the existing building given the sympathetic design. They can be comfortably accommodated as the property sits on a generous sized plot. Furthermore the use of materials matching the existing dwelling would ensure

the extensions are in keeping with the existing dwelling.

In summary, the proposals are on balance considered visually acceptable with regards to their impact on the existing building and the locality and would therefore comply with Policy 2 of the SELLP and Paragraph 130 of the NPPF.

Impacts upon Residential Amenity

The only immediate neighbour is New England Farm located to the south of the application site. The proposed pool house extension would be located approximately 22 metres from this neighbour's boundary and some 30 metres from this neighbour's nearest elevation. The majority of it would be blocked by the application's existing garage located along the shared boundary with this neighbour. As such no unacceptable impact would result from this.

The proposed two storey side extension would be located close to the shared boundary with this neighbour, however, it would be located approximately 11 metres from this neighbour's nearest elevation. As such it would not result in any overbearing impact or unacceptable overshadowing. In addition no first floor windows are proposed directly facing this neighbour therefore there are no overlooking or loss of privacy concerns.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would create an additional bedroom on the site, however, the parking requirement would not increase and a maximum of 3 no off-street parking spaces would be required. At least 3 no parking spaces would be retained in the driveway/garage to the front. As such the scheme is considered to comply with the current parking standards.

Drainage/flood risk

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board has not raised any objections to the scheme but has advised that should the applicant wish to discharge surface/foul water to a watercourse or make any alterations to a watercourse then consent from the Board will be required. An informative has been appended to this effect advising the applicant of the Board's Byelaws.

The building to which the application relates is within Flood Zone 3, however, as the proposal involves an extension to an existing building no sequential/exceptions test or site specific flood risk assessment is required and the applicant should follow the Environment Agency's standing advice.

and the Environment Agency's standing advice states that finished floor levels be set at 500mm with 300mm flood resilient construction.

As such the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the barn, the locality, amenity of nearby residents or result in parking/highway issues. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1,

2, 3, 4 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 14 of the National Planning Policy Framework (2021).

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

RECOMMENDATION

The application can be approved under delegated powers.